

REMARKS

Summary of Amendments

Claim 1 has been amended in the recitation of the electrode to include a limitation that is an electrode feature which Applicants, in their reply of April 30, 2007 to the previous action by the Office, argued distinguishes the present invention over the prior art of record.

Claims 2-8 remain in their original form.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Unexamined Pat. App. Pub. No. JP-05-009740 to Ushigoe et al.

In turn, claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 6,082,297 to Pollock et al.

These separate rejections will be addressed concurrently.

On page 4 of the present action, the Office quotes verbatim Applicants' remarks made in reply to the previous action. After quoting the arguments regarding *Ushigoe et al.* and *Pollock et al.*, the Office then notes that regarding *Ushigoe et al.*, "The claimed language does not support [Applicants'] statement" that Applicants' claimed electrodes are made seamless in order to enhance the electrodes' durability.

Claim 1 has been amended to recite that "said electrode ha[s] no joints or seams." Accordingly, it is respectfully submitted that claim 1 now does support Applicants' previous arguments distinguishing the claims over the cited prior art of record.

Again, *Ushigoe et al.* in paragraph [0015] states that the electrode elements 8A and 8B are connected to clumplike terminals 5A and 5B, which means *Ushigoe et al.* adopts a structure in which there are joints or seams.

While it may appear from the schematic representation that is Fig. 5 of *Pollock et al.* that the electrode connection area is seamless, regarding the Fig. 5 configuration, *Pollock et al.* is silent as to joints or seams, merely stating, in column 8, lines 21-23, "Electrical lead-outs 116 connect directly from the heating element 114 through the conduit 130 and to external drive electronics 124."

Hence, the prior art of record cannot be said to anticipate each and every element of claim 1. It is respectfully submitted, therefore, that claim 1 should be held allowable, and thus that the other claims rejected under this section of the Office action—claims 2, 5 and 6—should be held allowable as depending from an allowable base claim.

Claim Rejections – 35 U.S.C. § 103

Claim 3, 4, 7 and 8; Ushigoe et al. '740 in view of Pollock et al. '297

Claim 3, 4, 7 and 8 were rejected as being unpatentable over *Ushigoe et al.* in view of *Pollock et al.*

It is respectfully submitted that for the foregoing reasons presented in addressing the § 102 rejections, the patentability of the present application rests in claim 1 to begin with, and that the present reply is fully responsive to the § 103 rejections of claims 3, 4, 7 and 8, in that these claims should be held allowable as depending directly or indirectly from claim 1.

Nature of Issues before the Examiner

As noted above in addressing the § 102 rejections, the Office had admonished Applicants that the language of their claims did not support their previous arguments. Since this admonition means that the Office has already considered Applicants' counterargument, and since the present amendment simply adds a limitation to claim 1 in support of the counterargument, it is respectfully submitted that the present amendment and reply do not raise any new issues not already before the Examiner.

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Amendment dated September 18, 2007
Reply to Office action of May 18, 2007

Accordingly, Applicants courteously urge that this application is in condition for allowance. Reconsideration and withdrawal of the rejections is requested. Favorable action by the Examiner at an early date is solicited.

Respectfully submitted,

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